IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

WP(C).No. 28145 of 2007(A)

PETITIONER:

SHAMMY GEORGE,
NEDUGANTT HOUSE, NEAR P.H.C.VELLOR,
MEVALLOOR P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.BOBBY JOHN

RESPONDENTS:

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1. THE DHANALAKSHMI BANK LTD.,
VAIKOM, REPRESENTED BY ITS
BRANCH MANAGER.

2. THE DEPUTY TAHSILDAR,
(REVENUE RECOVERY), VAIKOM.

3. THE VILLAGE OFFICER,
VAIKOM.

BY ADV. SRI.C.K.KARUNAKARAN,SC,DHANALAKSHMI BAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C) No. 28145 of 2007

Dated this the 24th day of September, 2007

JUDGMENT

The essential relief sought for by the petitioner in this writ petition is in relation to M/s Dhanalakshmi Bank, a scheduled Bank. There is also a prayer made for an interdiction against recovery proceedings as evidenced by Ext.P2. Obviously, there cannot be a challenge against the revenue recovery proceedings alone, in the circumstances.

2. I have heard the learned Standing Counsel Sri.C.K.Karunakaran also.

3. As far as maintainability of the writ petition is concerned, the issue is covered against the petitioner by the decision of the Supreme Court in **Federal Bank Ltd.** v **Sagar Thomas** reported in (2003(3) KLT 876). In my view, the writ petition is not maintainable. Hence the writ petition is dismissed. The dismissal of the writ petition shall not stand in the way of the petitioner pursuing any application for one time settlement before the first respondent, if so advised, and if otherwise permissible.

V.GIRI, JUDGE

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